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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

Crossman et al.

Application No: 09/578,534

Filed: May 24, 2000

For: Diagnostics and Therapeutics For
Restenosis

Examiner: Myers, C.

Art Unit: 1655

Attorney Document No.: MSA-017.02

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231, on: 9/6/2001

Robert King

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97 (b)(3)

Commissioner for Patents
Washington, DC 20231

Sir:

Submitted herewith on Form PTO-1449 is a list of documents known to Applicants and/or their attorney/Agent in compliance with the requirements of 37 CFR 1.56.

Under 35 U.S.C. § 120, this application has the benefit of the earlier filing date of the parent application Serial No. : 09/431,352 filed on November 1, 1999. Copies of the listed references (AA-BD) in the attached form PTO 1449 were submitted to the Office in the parent application and therefore are not required in this application as provided under 37 C.F.R. 1.98(d).

Applicants respectfully request that the Examiner consider the listed documents and indicate they were considered by making appropriate notations on the attached Form 1449.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that the cited documents are material or constitute

“prior art.” If the Examiner applies the listed documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute “prior art” under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the referenced documents be applied against the claims of the present application.

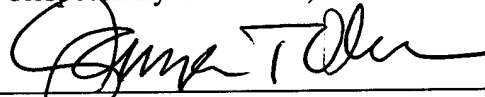
Under 37 C.F.R. § 1.97 (b)(3), this Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits; therefore, no fee is believed to be due in connection with this submission. However, the Commissioner is authorized to charge any deficiencies or credit any overpayment to/from our **Deposit Order Account No. 06-1448**.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 832-1764.

Date:

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Respectfully Submitted,



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